

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

January 8, 1953
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Drake presiding.

Roll Call:

Present: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Absent: None

Present also: W. E. Seaholm, City Manager; W. T. Williams, Jr., City Attorney; C. G. Levander, Director of Public Works.

Councilman Johnson moved that the Minutes of the previous meeting be approved. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The Council greeted LISANDRO ARRIAGADO, Santiago, Chile, who is on a State Department Scholarship vising the Journalism Schools of the United States.

The City Manager gave a report on bids on the Police and Courts Building, stating the bids had exceeded the bond money available. He stated he was making a study of what he could do and he wanted to make a recommendation to the Council and would have a detailed report in a day or so. The Mayor stated he hoped to see the building started.

Councilman MacCorkle inquired about the progress of obtaining a Planning Engineer. The City Manager replied he had an Engineer coming down for an interview shortly.

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Mrs. Willie Horton has made application in writing for permission to operate a rest home complying with all City and State regulations on the south part of Lot 14, Outlot 55, Division B, in the City of Austin, Travis County, Texas, being located at 1004 Olive Street, which property is located in a "B" Residence District and under Section #5, Item #6, of the Zoning Ordinance requires a special permit from the City Council; and

WHEREAS, this application has been considered and approved by the City Council of the City of Austin, therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT permission for the use and maintenance of this building as a rest home at the above described address be granted to Mrs. Willie Horton.

The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake

Noes: None

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Southern Union Gas Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Southern Union Gas Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in CHESTNUT AVENUE, from a point 166 feet south of East 14th Street northerly 46 feet, the centerline of which gas main shall be 13.5 feet west of and parallel to the east property line of said CHESTNUT AVENUE

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(2) A gas main in NASH AVENUE, from a point 438 feet west of Kinney Avenue westerly 174 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said NASH AVENUE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(3) A gas main in WALTER STREET, from a point 88 feet west of Midway Street westerly 97 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said WALTER STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(4) A gas main in EAST 44TH STREET, from a point 6 feet west of Eilers Avenue westerly 4 feet, the centerline of which gas main shall be 15 feet south of and parallel to the north property line of said EAST 44TH STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(5) A gas main in EILERS AVENUE, from a point 10 feet north of East 44th Street southerly 111 feet, the centerline of which gas main shall be 10 feet west of and parallel to the east property line of said EILERS AVENUE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

The Southern Union Gas Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Southern Union Gas Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the Department of Public Works not less than three (3) days before such information is required. The Southern Union Gas Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets, and the restoration and maintenance of said streets after said mains have been laid shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchises granted to said company by the City of Austin.

The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake

Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, J. M. Odom is the Contractor for the erection of a building

located at 2301 San Antonio Street and desires a portion of the sidewalk and street space abutting Lots 29, 30 and 30-1/2, in Outlot 35, Division D in the City of Austin, Travis County, Texas, during the erection of the building, such space to be used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted to said J. M. Odom, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the southeast corner of the above described property; thence in a southerly direction and at right angles to the centerline of West 23rd Street to a point 4 feet south of the north curb line; thence in a westerly direction and parallel with the centerline of West 23rd Street approximately 120 feet to a point; thence in a northerly direction and at right angles to the centerline of West 23rd Street to the southwest corner of the above described property;

Thence in a westerly direction and at right angles to the centerline of San Antonio Street to a point 12 feet west of the east curb line; thence in a northerly direction and parallel with the centerline of San Antonio Street approximately 200 feet to a point; thence in an easterly direction and at right angles to the centerline of San Antonio Street to the west line of the above described property.

2. THAT the above privileges and allotment of space are granted to the said J. M. Odom, hereinafter termed "Contractor", upon the following express terms and conditions:

(1). That the Contractor shall construct a four-foot walkway within the outer boundaries of the above described working space, such walkway to be protected on each side by a guard rail at least four feet high and substantially braced and anchored, and without wood strips or obstructions of any kind along the pavement within the walkway, and at any time in the opinion of the City officials it becomes necessary for any reason to install a board floor within the walkway, the Contractor shall upon notice from the Building Inspector immediately place such a wood floor and substantially support same to prevent sagging under load.

(2). That the Contractor is permitted to construct in his working space a substantial gate which shall be kept closed at all times when not in use and at all times that such gate is open, the Contractor shall maintain a person at this gate to warn pedestrians and vehicles of approaching trucks. This gate is not to open out so as to impede vehicular or pedestrian traffic.

(3). That no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the allotted working space.

(4). That "NO PARKING" signs shall be placed on the street side of the barricades.

(5). That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

(6). That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.

(7). That provisions shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm water.

(8). That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting system for all tunnels.

(9). That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk of street has ceased, such time to be determined by the City Manager and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than September 1, 1953.

(10). That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(11). That the use and enjoyment of the spaces herein granted shall not be exclusive as against public needs, and the City, in making such grant reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(12). That any public utility, or public or private property, disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building projects, whether done by the Contractor, City forces, or public utilities, shall be replaced or repaired at the Contractor's expense.

(13). The the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand Dollars (\$5,000.00), which shall protect, indemnify and hold harmless the City of Austin from any claims or damages to any person or property that may accrue to or be brought by any person by reason of the exercise or abuse of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The motion, seconded by Councilman Long, carried by the following vote:
Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves the property situated on the north side of East 38 $\frac{1}{2}$ Street as a private gasoline plant, which property is leased by the American Moving and Storage Company and is an unplatted lot in the R. H. Johnson Tract in the City of Austin, Travis County, Texas, and hereby authorized the said American Moving and Storage Company to operate a private gasoline plant consisting of 550-gallon underground tank and pump for the sole purpose of servicing their own motor equipment and from which no gasoline is to be sold, subject to the same being operated in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this private gasoline plant after full compliance with all the provisions of this resolution and said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, traffic and fire regulations; and the right of revocation is retained, if after hearing, it is found by the City Council that the said American Moving and Storage Company has failed and refused and will continue to fail and refuse to perform any such conditions; regulations and ordinances.

(Recommendations attached)

"Austin, Texas
January 8, 1953

"Mr. Walter E. Seaholm
City Manager
Austin, Texas

"Dear Sir:

"I, the undersigned, have considered the application of American Moving and Storage Company for permission to operate a private gasoline plant consisting of a 550-gallon underground tank and pump for the sole purpose of servicing their own motor equipment and from which no gasoline is to be sold, upon property located on the north side of East 38-1/2 Street, which property is unplatted in the R. H. Johnson Tract and locally known as 1300 East 38-1/2 Street.

"This property is located in a "C" Commercial District and I recommend that this permit be granted subject to the following conditions:

"(1). That the gasoline tanks and pumps shall be of an approved type and shall bear the label of the Underwriters Laboratories, Inc., and that all tanks and pumps shall be installed in compliance with the Ordinance governing the storage and handling of gasoline.

"(2). That all tanks and pumps shall be located not nearer than 10 feet to the property line and so located that cars stopped for the purpose of unloading or receiving gasoline or other supplies shall not in any way obstruct the free passage of traffic on either the sidewalk, street or alley.

"(3). That "NO SMOKING" signs shall at all times be prominently displayed and no person shall be permitted to smoke on the premises where gasoline is handled or stored.

"(4). That all fees shall be paid and a permit secured from the Building Inspector's Office before any installation work is started, and that no equipment shall be placed in operation until after final inspection and approval of same.

"Respectfully submitted,
J. C. Eckert
Building Inspector"

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves the operation of a private gasoline plant consisting of a 550 gallon tank and pump at the E. D. Grimmer Boat Docks, which commercial boat dock is located approximately twenty miles up-stream from Tom Miller Dam on Lake Austin, for the sole purpose of servicing their own equipment and from which no gasoline is to be sold, subject to the same being operated in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this private gasoline plant after full compliance with all the provisions of this resolution and said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, traffic and fire regulations; and the right of revocation is retained, if after hearing, it is found by the City Council that the said E. D. Grimmer has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
January 8, 1953

"Mr. Walter E. Seaholm
City Manager
Austin, Texas

"Dear Sir:

"I, the undersigned, have considered the application of E. D. Grimmer & Son for permission to operate a gasoline plant consisting of a 550 gallon tank and pump at his commercial boat dock located approximately twenty miles up-stream from Tom Miller Dam on Lake Austin, and locally known as E. D. Grimmer Boat Docks.

"I recommend that this permit be granted subject to the following conditions:

"(1). That the gasoline tanks and pumps shall be of an approved type and shall bear the label of the Underwriters Laboratories, Inc., and that all tanks and pumps shall be installed in compliance with the Ordinance governing the storage and handling of gasoline.

"(2). That all tanks and pumps shall be located not nearer than 10 feet to the property line and so located that cars stopped for the purpose of unloading or receiving gasoline or other supplies shall not in any way obstruct the free passage of traffic on either the sidewalk, street or alley.

"(3). That "NO SMOKING" signs shall at all times be prominently displayed and no person shall be permitted to smoke on the premises where gasoline is handled or stored.

"(4). That all fees shall be paid and a permit secured from the Building Inspector's Office before any installation work is started and that no equipment shall be placed in operation until after final inspection and approval of same.

"Respectfully submitted,
J. C. Eckert
Building Inspector"

The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the American Friends Service Committee has made application for permission to use and maintain a building for the Southwest Regional Office on Lot 10, Outlot 23-1/2, Division D in the City of Austin, Travis County, Texas, the same being on the west side of Nueces Street and is locally known as 2106 Nueces Street, and is located in a "B" Residential District which, under Section #5, Item #4(C), as revised May 17, 1951 of the Zoning Ordinance, requires a special permit from the City Council; and

WHEREAS, this application has been considered and approved by the City Council of the City of Austin, therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT permission for the use and maintenance of this building as the Southwest Regional Office at the location described above be granted to the American Friends Service Committee.

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain sanitary sewer easement was granted the City of Austin by Fannie A. Dupuy, in that certain instrument dated September 24, 1918, and being of record in Volume 305, page 88, Deed Records of Travis County, Texas, in, upon and across six (6) tracts of land, being Lots 9, 10, 11, 19, 20 and 21 of a Resubdivision of portions of Lots 1 and 2 of Live Oak Grove, in the City of Austin, Travis County, Texas; and,

WHEREAS, such sanitary sewer easement is not now needed and hereafter will not be required by the City of Austin; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. E. Seaholm, City Manager, be and he is hereby authorized and directed to execute a release of such sanitary sewer easement in, upon and across the following described property, to wit:

Six tracts of land, being Lots 9, 10, 11, 19, 20 and 21 of a Resubdivision of Portions of Lots 1 and 2 of Live Oak Grove according to a map or plat of said Resubdivision of portions of Lots 1 and 2 of Live Oak Grove of record in Book 5, Page 155, Plat Records of Travis County, Texas, a map or plat of said Live Oak Grove being of record in Book Z, Page 615, Deed Records of Travis, County, Texas.

The motion, seconded by Councilman Johnson, carried by the following vote:
Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The City Manager submitted the following certificate from the City Tax Assessor and Collector:

"TO THE MAYOR AND CITY COUNCIL:

"I certify that the tax assessment for the property hereinafter described in the name of Mr. Homer M. Mobley is incorrect for the following reasons:

"Upon inspection of this property it was found that it was of substandard construction, thereby reducing the unit on residence from \$4.35 to \$4.25 per square foot and 10% depreciation given for cracks; also unit on garage lowered from \$1.50 to \$1.25 per square foot and 15% depreciation given for used material.

"I recommend that I be authorized to reduce the assessed valuation on such property as follows:

<u>YEAR</u>	<u>DESCRIPTION OF PROPERTY</u>	<u>ORIGINAL ASSESSED VALUE</u>	<u>RECOMMENDED VALUE</u>
1952	Improvements on Lot 50, Plat 113, Arboles Terrace, Item 58, at 910 Post Oak.	4,240	3,660

"(Sgd) T. B. Marshall
City Tax Assessor and Collector"

Councilman MacCorkle then offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Tax Assessor and Collector has made a special investigation of the tax assessment hereinafter set forth in the name of Mr. Homer M. Mobley and has found the same to be erroneous for the reasons stated in his certificate delivered to the City Council and filed with the City Clerk, and

WHEREAS, in such certificate the City Tax Assessor and Collector has recommended the adjustment, Now, Therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the following tax assessment for the year shown be, and the same is, hereby adjusted and corrected to fix the assessed value therein as indicated.

<u>YEAR</u>	<u>DESCRIPTION OF PROPERTY</u>	<u>ORIGINAL ASSESSED VALUE</u>	<u>RECOMMENDED VALUE</u>
1952	Improvements on Lot 50, Plat 113, Arboles Terrace, Item 58, at 910 Post Oak.	4,240	3,660

And the City Tax Assessor and Collector is authorized and directed to make such change in the tax rolls.

The motion, seconded by Councilman Johnson, carried by the following vote:
Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Mayor Drake introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED: "AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF AUSTIN; PRESCRIBING PENALTIES FOR THE VIOLATION OF SAME; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY", WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN MAY 6, 1937, AND IS RECORDED IN BOOK "K", PAGES 159-179, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMENDING SUBSECTION (a) OF SECTION 34-A OF ARTICLE V, RELATING TO TRUCK ROUTES, AND BY AMENDING SUBSECTION (b) OF SECTION 34 OF ARTICLE V, RELATING TO ONE-WAY STREETS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; DECLARING AN EMERGENCY AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilman Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The Mayor announced the ordinance had been finally passed.

Mayor Drake introduced the following ordinance:

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED: "AN ORDINANCE ESTABLISHING THE SPEED LIMIT FOR MOTOR VEHICLES IN THE CITY OF AUSTIN AND ESTABLISHING THE MAXIMUM, REASONABLE AND PRUDENT SPEED LIMIT ON CERTAIN DEFINED STREETS; PROVIDING A PENALTY FOR THE VIOLATION OF SAME; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY", WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN SEPTEMBER 2, 1948, AND IS RECORDED IN BOOK "N", PAGES 291-293, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMENDING SECTION 2 RELATING TO SPEED LIMITS ON CERTAIN STREETS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; DECLARING AN EMERGENCY AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The Mayor announced the ordinance had been finally passed.

Mayor Drake introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED: "AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF AUSTIN; PRESCRIBING PENALTIES FOR THE VIOLATION OF SAME; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY", WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN MAY 6, 1937, AND IS RECORDED IN BOOK "K", PAGES 159-179, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMENDING SECTION 12(b) OF ARTICLE III RELATING TO STOP SIGN LOCATIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; DECLARING AN EMERGENCY AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman MacCorkle moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The ordinance was read the second time and Councilman MacCorkle moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The ordinance was read the third time and Councilman MacCorkle moved that the ordinance be finally passed. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The Mayor announced the ordinance had been finally passed.

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the final plat of the subdivision known as "Highland Village, Section Two", approved by the City Plan Commission of the City of Austin on July 20, 1950, be and the same is hereby accepted and authorized to be filed of record in the office of the County Clerk of Travis County, Texas, in accordance with the provisions of the laws of the State of Texas, and the ordinances of the City of Austin, and that this action of the City Council be indicated by appropriate notation, signed by the Mayor, on the original plat of said subdivision prior to its recording in the Plat Records of Travis County, Texas.

The motion, seconded by Councilman Johnson, carried by the following vote:
 Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
 Noes: None

The following zoning applications were reset for public hearing at 11:00 A. M., February 12, 1953:

BEN H. POWELL	A tract of land out of Military Outlot No. 1, Div. "X" locally known as 2505 San Jacinto Boulevard	From "B" Residence To "C" Commercial RECOMMENDED by the Zoning Commission
MRS. HELEN C. PEARSON	A tract of land out of Outlot 1, Div. "X", locally known as 2507 San Jacinto Boulevard	From "B" Residence To "C" Commercial RECOMMENDED by the Zoning Commission
MRS. MAITIE TAYLOR	A tract of land out of Lots 9 & 10, Fortview Addition,less the e. 50', locally known as 3911 South 1st Street	From "A" Residence To "B" Residence RECOMMENDED by the Zoning Commission.

The following applications were set for public hearing at 11:00 A.M., February 12, 1953:

LEMUEL SCARBROUGH	That portion of the tract of land bounded on the west by Fiskville Rd; on the north by Atkinson Rd.; on the east by Interregional Highway; & on the south by Blks. 1 & 3, Brooks Subdv. & Brooks Streetlocally known as 6200-6800 Interregional Highway.	From "A" Residence To "C" Commercial RECOMMENDED by the Zoning Commission
MRS. MARY KUEHNE	The w. 290' of the Kuehne 5-acre tract.... locally known as 5500 Block Lamar Blvd.	From "A" Residence To "C" Commercial RECOMMENDED by the Zoning Commission
C. E. PEARSON	The w.310' of the C.E.Pearson 2.88 acre tract in the ne corner of Block 1, Skyland Subd,....locally known as 5422-5442 Lamar Blvd.	From "A" Residence To "C" Commercial RECOMMENDED by the Zoning Commission

No action was taken on the ordinance establishing a loading zone at South Curb of the 300 Block of West 5th Street, west of Lavaca. This will be considered next week.

Councilman White inquired about the Traffic Committee. The City Manager stated the Committee wanted to get certain recommendations from DONALD HILL and he had furnished his recommendations; but to date, nothing had been heard from the Committee. Councilman MacCorkle stated that the Chairman had promised to make recommendations to the Council, but he had not heard from him, although he had called him.

The City Manager presented a letter from the Exchange Club of Austin, signed by its president, B. H. Amstead, requesting permission to use the property east and south of the Coliseum. Councilman Johnson moved that the EXCHANGE CLUB OF AUSTIN be granted permission to sponsor the Hagen Brothers Circus on April 1, 1953, on property east and south of the Coliseum, subject to details being worked out satisfactorily. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

MR. CARL HARDIN, JR., Travis County Chapter of the National Foundation for Infantile Paralysis, invited the Council to the opening of the March of Dimes Drive at 7th and Congress, noon the next day, January 9th. He outlined the work that had been done the year before. Former MAYOR TAYLOR GLASS, Drive Chairman, asked permission to use the parking meters for dimes. MR. C. J. SCHMID, Chairman Travis County Chapter, stated \$67,490.87 had been spent last year, and only \$2,397.68 had been spent for office rent, secretary, stamps, etc. MRS. LOUIS HATCH appeared with the group.

The City Manager made a report about the request of Mrs. Alexander (12-31-52) for water, stating the subdivider, Mr. ELMER DENSON, had filed a preliminary plat with the Planning Commission, and it had been approved subject to arrangements for utilities. To date the arrangements had not been made, and the subdivision has not been approved; and if any lots were sold he was acting before he had the proper authority. The Mayor asked that the City Attorney give the Council a brief on the matter. Councilman Long asked that this brief cover the state law provisions as well as the City Attorney's opinion.

The Mayor called a meeting of the Council Tuesday, January 13th, at 10:30 A.M. to appoint the Election Officials. He asked the City Attorney to prepare a Memorandum to the Council covering the number of Judges and officials required by State law and by Charter.

Councilman White stated he had found a lot of people were confused as to which poll tax they would use in the January 31st election, and he suggested that publicity be given in the newspapers.

Councilman Long asked for a report on the Breedlove Court Drainage. The Director of Public Works reported that this was an old subdivision which had been annexed, and that his department was making surveys and writing field notes in order to get easements to go in the property.

The City Manager presented a plan of voluntary paving program. He stated many requests had been received, and specifications of an 8" base and 1½" topping had been set up for use in subdivisions, etc. He stated this would be a transaction between the owner and contractor and not to be an assessment proposition. The City's participation would be to grade the street and make the excavation. He stated the matter had been submitted to some of the contractors, and McKOWN & SON at this time was the only one interested. The cost to the owner would be \$3.75 for curb, gutter, and paving. The city's cost would be approximately 93¢ a foot. He stated the life of this paving would run 15 to 20 years, and would provide paving to those who wanted it. It would be 100% sign up on this voluntary plan. The Mayor suggested that the contractor on this plan should not be given as long a time on the sign up as the others. Councilman Long favored this program if it would not affect the other program, and only be a supplement to it. The City Manager stated if the Council felt it was all right, Mr. McKown would go ahead and start working on the plan. No formal action was taken by the Council, but the Council indicated its approval. Councilman White made inquiry if this would bar any other contractor interested. The City Manager and City Attorney explained that it would not; but that when a particular section was being worked on, that contractor should be given a certain time in which he could do his work and contact the owner.

Councilman Long submitted a complaint by some fishermen who had been fishing below the Congress Avenue Bridge, that the fish they caught tasted like gasoline when they were eaten. Councilman Long moved that the City Health Officer be instructed to make tests of that water and check along the area in there and see what is contaminating it. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Councilman White inquired about the hutments on Barton Springs Road. The City Manager reported that the individual had been written that his time was up, and he said he was ready to move. He was told that the City was about to readvertise and that he was expected to pay as he agreed.

Pursuant to published notice thereof, public hearings were held on the following applications for change of zoning:

J. M. RHOADES

813-839 Airport Blvd.

From "A" Residence
To "D" Industrial
RECOMMENDED by the Zoning
Commission

No one appeared in opposition. The Mayor asked that those who favored upholding the recommendation of the Zoning Commission, granting the requested change, and instructing the City Attorney to draw up the necessary ordinance to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The Mayor announced that the change had been granted.

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LEROY FAWVER

5016-22 Bolm Road and
1100A-1102A Shady Lane

From "A" Residence
To "C" Commercial
RECOMMENDED by the Zoning
Commission

No one appeared in opposition. The Mayor asked that those who favored upholding the recommendation of the Zoning Commission, granting the requested change, and instructing the City Attorney to draw up the necessary ordinance to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The Mayor announced that the change had been granted.

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TRAVIS INDUSTRIAL
CORPORATION8305 through 8325 Lamar
Boulevard

From "A" Residence
To "D" Commercial
RECOMMENDED by the
Zoning Commission

MR. HOLLAND PAGE, and MRS. R. M. TURNER appeared to make inquiry. The Mayor asked that those who favored upholding the recommendation of the Zoning Commission, granting the requested change, and instructing the City Attorney to draw up the necessary ordinance to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The Mayor announced that the change had been granted.

MRS. MARY MADELEY

711 West 14th Street

From "A" Residence
 To "B" Residence
 RECOMMENDED by the Zoning
 Commission.

No opposition appeared. The Mayor asked that those who favored upholding the recommendation of the Zoning Commission, granting the requested change, and instructing the City Attorney to draw up the necessary ordinance to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
 Noes: None

The Mayor announced that the change had been granted.

HARVEY MASSEY

6505-07 Riverside Drive

From "A" Residence
 To "C" Commercial
 RECOMMENDED by the Zoning
 Commission

No opposition appeared. The Mayor asked that all those who favored upholding the recommendation of the Zoning Commission, granting the requested change, and instructing the City Attorney to draw up the necessary ordinance to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
 Noes: None

The Mayor announced that the change had been granted.

C. BEN HIBBETTS

5005 Burnet Road

From "A" Residence
 To "C" Commercial
 RECOMMENDED by the Zoning
 Commission

The Mayor asked that all those who favored upholding the recommendation of the Zoning Commission, granting the requested change, and instructing the City Attorney to draw the necessary ordinance to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
 Noes: None

The Mayor announced that the change had been granted.

B. E. MILBURN

4600-4716 and 4601-4715
East 7th StreetFrom "A" Residence
To "D" Industrial
RECOMMENDED by the Zoning
Commission

No opposition appeared. There was a question of the amount of set-back requirement. The Council deferred action on this application until the following week pending a report on the set-back.

MOTON H. CROCKETT, JR.

6104-6200 Cameron Rd.

From "A" Residence
To "C" Commercial
RECOMMENDED by the Zoning
Commission.

MR. TRUEMAN E. O'QUINN represented the applicant. REV. F. G. ROESNER was interested in the property in the name of IDA M. SHULTZE, as he thought the proposed development of Mr. Crockett would devalue the property across the street as residential property. Mr. Roesner asked to have an opportunity to go over this with Mr. Crockett before action was taken by the Council. The Council postponed decision on this application until the following week.

MRS. FLORENCE HALL, by
Earl Chase

3100 Block Hargrave St.

From "A" Residence
To "C" Commercial
NOT recommended by the
Zoning Commission

MR. EARL CHASE represented the applicant, and stated the change of zoning was requested so the property could be used as a grocery store. He submitted a petition of thirty signatures favoring the change. REV. ROBINSON, Lincoln Baptist Church, PAULINE BARLOW for her parents; MRS. MARSHALL GALLOWAY, 3011 Hargrave, MRS. R. H. HAWKINS, 3005 Hargrave, LUCINDA JONES, 1139 Lowe, BETTE DANIEL, 1142 Nile; Mr. R. H. HAWKINS; JAMES PHILLIPS, 2322 Waldine, and others expressed opposition. The Mayor asked that those in favor of upholding the Zoning Commission's recommendation and denying the change to vote "aye"; those opposed, vote "no". Roll call showed the following vote:

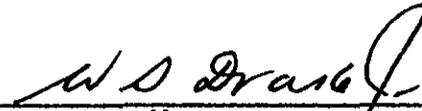
Ayes: Councilmen Johnson, MacCorkle, White, Mayor Drake
Noes: Councilman Long

The Mayor announced that the application had been denied.

The City Manager discussed with the Council the purchase of some land necessary for the Interregional Highway, stating on this particular purchase he would like to start negotiations with the owner; the other, he would have a report within ten days.

There being no further business, the Council adjourned subject to the call of the Mayor.

APPROVED:



Mayor

ATTEST: